Appl. No. 10/792,215 Amdt. Dated: August 24, 2005 Reply to Office Action of 06/02/2005

# **Amendments to the Drawings:**

# **IN THE DRAWINGS**:

Please replace the drawings as originally filed with the enclosed formal drawings.

Attachment: Replacement Sheets

#### REMARKS/ARGUMENTS

#### I. Drawings

According to the Office Action, the drawings are objected to under 37 C.F.R. 1.83(a) for allegedly providing a unclear photograph of a security storage container of Figure 1. In response, formal drawings are enclosed clearly illustrating the drawing of the security storage container of Figure 1. Accordingly, withdrawal of this objection is respectfully requested.

### II. Double Patenting Rejection

According to the Office Action, claims 1-28 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,719,133. In response, a terminal disclaimer is filed concurrently herewith in order to obviate this rejection.

## III. 35 U.S.C. 102(b)

According to the Office Action, claim 24-28 stand rejected under 35 U.S.C. 102(b) for allegedly being anticipated by U.S. Patent 5,575,399 (Intini). In response, claims 24-28 are amended to recite that the base (or second closing member) is configured (or adapted) to securely support an optical disc. As disclosed in the specification, the base panel 24 includes a retaining member that is configured to securely support an optical disc (specification, page 5, lines 21-25).

The Intini reference does not describe or suggest a base (or second closing member) configured (or adapted) to securely support an optical disc. Instead, the container described in the Intini reference is for storing pharmaceutical products which may be dangerous to children if accidentally taken. Since the physical characteristics of pharmaceutical products does not appear in any sense like an

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optical disc, there is no suggestion to modify the Intini reference to arrive at the claimed invention. Accordingly, withdrawal of the rejection of claims 24-28 is respectfully requested.

#### IV. Conclusion

In view of the foregoing amendments, remarks, and enclosed terminal disclaimer, allowance of this patent application is respectfully requested.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, please charge any such fee or any deficiency in fees or credit any overpayment of fees to Deposit Account No. 05-1323 (Docket 100629.53016C1).

Respectfully submitted,

**CROWELL & MORING LLP** 

Dated: August 24, 2005

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#### CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

8-24-2005

Date

Laura R Dixon

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